

**A REGULAR MEETING
OF
THE PUBLIC SERVICE COMMISSION**

1. A Regular Meeting was called to order by Chair Dallas Winslow in the Hearing Room, 861 Silver Lake Boulevard, Dover, Delaware, on Tuesday, September 6, 2016, at 1:00 p.m. with the following Commissioners in attendance: Joann Conaway, Mike Karia, and Harold Gray. **COMMISSIONER DREXLER WAS NOT PRESENT.**

The following Staff members were in attendance: Brenda Mayrack, Deputy Attorney General, Robert Willard, Deputy Attorney General, James McC. Geddes, Esquire, Robert Howatt, Matthew Hartigan, Toni Loper, Joshua Bowman, and Donna Nickerson.

2. Commissioner Conaway moved to approve meeting minutes from the August 23, 2016 Commission meeting; seconded by Commissioner Karia; motion carried 4-0.
3. CONSENT AGENDA ITEMS:

DOCKET NO. 16-0745 WAS MOVED TO THE REGULAR AGENDA.

4. REGULAR AGENDA ITEMS:

IN THE MATTER OF THE PETITION OF DIRECT ENERGY SERVICES, LLC TO REQUEST THE PUBLIC SERVICE COMMISSION TO ISSUE, ON AN EXPEDITED BASIS, AN ORDER DIRECTING DELMARVA POWER & LIGHT COMPANY TO DISTRIBUTE AN EDUCATIONAL BILL INSERT REGARDING THE OPTIONS AVAILABLE UNDER THE CONTRACT AWARDED BY THE STATE OF DELAWARE (FILED JUNE 30, 2016) – PSC DOCKET NO. 16-0744

Brenda Mayrack, Esquire, appeared on behalf of Staff.

Robert Willard, Esquire, appeared on behalf of the Commission.

Brian Greene, Esquire, Gellert Scali Busenkell & Brown, LLC appeared on behalf of Retail Energy Supply Association.

Tara Lattomus, Esquire, Eckart Seamans Cerhin & Mellott, LLC appeared on behalf of Direct Energy Services, LLC.

Todd Goodman, Esquire, appeared on behalf of Delmarva Power & Light Company.

Regina Iorii, Esquire, and Dave Bonar appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Gray and seconded by Commissioner Conaway to approve Retail Energy Supply Association's ("RESA") Intervention Petition in this matter; motion carried 4-0.

After a brief discussion regarding Delmarva Power & Light Company's Emergency Motion, Chair Winslow stated that this matter would be heard at the September 20, 2016 Commission meeting.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT
COMPANY FOR THE APPROVAL OF THE 2016 PROGRAM FOR THE
PROCUREMENT OF SOLAR RENEWABLE ENERGY CREDITS (FILED OCTOBER
8, 2015) – PSC DOCKET NO. 15-1472

Brenda Mayrack, Esquire and Toni Loper appeared on behalf of Staff.

Pamela Scott, Esquire, appeared on behalf of Delmarva Power & Light Company.

Regina Iorii, Esquire, and Dave Bonar appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Karia and seconded by Commissioner Gray to adopt Order No. 8890 as edited; motion carried 4-0.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF VERIZON DELAWARE, LLC'S USAC E-FILE
CERTIFICATION OF THE FCC FORM 481 (FILED JULY 27, 2016) – PSC
DOCKET NO. 16-0809

Robert Willard, Esquire, and Pamela Knotts appeared on behalf of Staff.

A motion was made by Commissioner Conaway and seconded by Commissioner Gray directing Executive Director Howatt to send draft letter to FCC as presented; motion 4-0.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE ADOPTION OF RULES AND REGULATIONS TO IMPLEMENT THE PROVISIONS OF 26 *DEL. C. CH. 10* RELATING TO THE CREATION OF A COMPETITIVE MARKET FOR RETAIL ELECTRIC SUPPLY SERVICE (OPENED APRIL 27, 1999; RE-OPENED JANUARY 7, 2003; RE-OPENED SEPTEMBER 22, 2009; RE-OPENED SEPTEMBER 7, 2010; RE-OPENED JULY 17, 2012)– PSC REGULATION DOCKET NO. 49

James McC. Geddes, Esquire, and Toni Loper appeared on behalf of Staff.

Regina Iorii, Esquire, and Dave Bonar appeared on behalf of the Division of the Public Advocate.

Brian Greene, Esquire, Gellert Scali Busenkell & Brown, LLC appeared on behalf of Retail Energy Supply Association.

Todd Goodman, Esquire, and Pamela Scott, Esquire, appeared on behalf of Delmarva Power & Light Company.

A motion was made by Commissioner Conaway and seconded by Commissioner Gray to publish RESA/DPA's proposed regulations and to schedule this matter for a hearing after October 18, 2016; motion carried 4-0.

A motion was made by Commissioner Conaway and seconded by Commissioner Gray to indefinitely postpone any proceedings in Docket No. 15-1693, including the October 1, 2016 deadline for comments to be filed in this matter; motion carried 4-0.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF CALLCATCHERS INC. D/B/A FREEDOMVOICE SYSTEMS FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE INTRASTATE LONG DISTANCE TELECOMMUNICATIONS SERVICES WITHIN THE STATE OF DELAWARE (SUBMITTED JUNE 26, 2016; FILED AUGUST 11, 2016) - PSC DOCKET NO. 16-0745

Robert Willard, Esquire, and Joshua Bowman appeared on behalf of Staff.

A motion was made by Commissioner Gray and seconded by Commissioner Karia to adopt Order No. 8936 as submitted; motion carried 4-0.

5. PUBLIC COMMENT:

Chair Winslow introduced Mr. Thomas Noyes who informed the Commission that the Delaware Renewable Task Force will meet on September 7, 2016 in the PSC's Hearing Room in Dover at 9:30 A.M. to discuss the results of the 216 SREC Auction.

Mr. Noyes also informed the Commission that the Division of Energy & Climate will be holding two workshops regarding Delmarva Power Green Energy Fund to be held on September 9, 2016 at 10:00 A.M. in the DNREC Conference Room, Lukens Drive, and one on September 12, 2016 at 6:00 P.M. in the PSC's Hearing Room.

6. DIRECTOR'S COMMENTS:

Mr. Howatt introduced Commissioner Conaway who read the Governor's proclamation, "Imagine A Day Without Water," which will be celebrated in the State of Delaware on September 15, 2016.

Mr. Howatt introduced John Farber who addressed a proposed settlement agreement in a filing that was made before the Federal Energy Regulatory Commission ("FERC") in Docket EL16-453 regarding Northeast Transmission Development, LLC.

A motion was made by Commissioner Conaway to convene into Executive Session seconded by Commissioner Karia to discuss confidential settlement negotiations; the motion carried 4-0.

A motion was made by Commissioner Conaway and seconded by Commissioner Gray to reconvene to Public Session; the motion carried 4-0.

A motion was made by Commissioner Gray and seconded by Commissioner Karia to adopt Staff's recommendation to approve the proposed settlement agreement in Docket ER 16-453, and authorize the Executive Director to affix his signature to the settlement agreement as a signatory to that settlement; the motion carried 4-0.

A verbatim transcript was made of this proceeding.

Mr. Howatt informed the Commission that on the next upcoming Commission meeting, September 20, 2016, there would be Evidentiary Hearings in Docket Nos. 16-0744 and 14-193 at the 1:00 P.M. Commission meeting.

There was no further business and the meeting adjourned approximately at 2:43 P.M.

Respectfully submitted,

/s/ Donna Nickerson

Secretary